

Customized FORM PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NO. P06794US00/MP
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. <i>If known, see 37 CFR 1.5</i> 10/018402
INTERNATIONAL APPLICATION NO. PCT/EP99/04628	INTERNATIONAL FILING DATE 02 JULY 1999		PRIORITY DATE CLAIMED	
TITLE OF INVENTION: INTERVERTEBRAL IMPLANT				
APPLICANT(S) FOR DO/EO/US: MARNAY, Thierry et al.				
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:				
<p><input checked="" type="checkbox"/> 1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p><input type="checkbox"/> 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 USC 371.</p> <p><input checked="" type="checkbox"/> 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).</p> <p><input type="checkbox"/> 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p><input checked="" type="checkbox"/> 5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> <input type="checkbox"/> a. is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> b. has been transmitted by the International Bureau. <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p><input checked="" type="checkbox"/> 6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p><input checked="" type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3)) <ul style="list-style-type: none"> <input type="checkbox"/> a. are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> b. have been transmitted by the International Bureau. <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments had NOT expired. <input checked="" type="checkbox"/> d. have not been made and will not be made. </p> <p><input type="checkbox"/> 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p><input type="checkbox"/> 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p><input type="checkbox"/> 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
<p>Items 11. to 20. below concern document(s) or information included:</p> <p><input type="checkbox"/> 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p><input type="checkbox"/> 12. An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p><input checked="" type="checkbox"/> 13. A First preliminary amendment.</p> <p><input type="checkbox"/> 14. A Second or Subsequent preliminary amendment.</p> <p><input type="checkbox"/> 15. A substitute specification.</p> <p><input type="checkbox"/> 16. A change of power of attorney and/or address letter.</p> <p><input type="checkbox"/> 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 & 35 USC 1.821-825.</p> <p><input type="checkbox"/> 18. A second copy of the published international application under 35 USC 154(d)(4).</p> <p><input type="checkbox"/> 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).</p> <p><input type="checkbox"/> 20. Other items or information: <ul style="list-style-type: none"> <input type="checkbox"/> <input type="checkbox"/> </p> <p><input type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.</p> <p><input type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).</p>				
Date: 19 December 2001				

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<input checked="" type="checkbox"/> 21. The following fees are submitted:		CALCULATIONS PTO USE ONLY	
<input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492 (a) (1)-(5):			
<input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO \$1040 <input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO \$ 890 <input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO \$ 740 <input type="checkbox"/> International preliminary examination fee paid to USPTPO \$ 710 <input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO & all claims satisfied PCT Art. 33(1)-(4) \$ 100			
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 890	
<input type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/> 20 mos. <input type="checkbox"/> <input type="checkbox"/> 30 mos. +		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	17 - 20 =		X \$18 =
Independent Claims	01 - 03 =		X \$84 =
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$280 =
TOTAL OF ABOVE CALCULATIONS =		\$ 890	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$	
SUBTOTAL =		\$ 890	
<input type="checkbox"/> Processing fee of \$130 for furnishing the English translation later than from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 mos. <input type="checkbox"/> <input type="checkbox"/> 30 mos. +		\$	
TOTAL NATIONAL FEE =		\$ 890	
<input type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$		\$	
TOTAL FEES ENCLOSED =		\$ 890	
Amount to be		<input type="checkbox"/> <i>Refunded</i> \$ <input type="checkbox"/> <i>Charged</i> \$	
<input checked="" type="checkbox"/> a. A check in the amount of \$ 890 to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. <input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.			
<i>Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</i>			
SEND ALL CORRESPONDENCE TO:		SIGNATURE:  NAME: Marvin Petry REG. NO.: 22752 PHONE NO.: 703-739-4900 Date: 19 December 2001	
MARVIN PETRY At the address (below) of CUSTOMER NO. 00881. LARSON & TAYLOR, PLC 1199 NORTH FAIRFAX ST. SUITE 900 ALEXANDRIA, VA 22314			